

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

## CIVIL MINUTES – GENERAL

No.	2:22-cv-04219-ODW (AFMx)	Date	November 9, 2022
Title	<i>Landstar Ranger, Inc. v. Legacy Transportation Services</i>		

Present: The Honorable	Otis D. Wright, II, United States District Judge		
Sheila English	Not reported		N/A
Deputy Clerk	Court Reporter / Recorder		Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
Not present		Not present	

**Proceedings (In Chambers):****Order DISMISSING Case Pursuant to Non-Opposition re: Subject Matter Jurisdiction**

On October 28, 2022, Defendant filed a Motion to Dismiss, arguing that the Court should dismiss the case because it lacks federal question jurisdiction over the matter. (Mot. Dismiss, ECF No. 24.) On November 7, 2022, Plaintiff filed a Statement of Non-Opposition, which indicates in short and plain terms that “Plaintiff . . . submits this Statement of Non-Opposition to Defendant’s Motion to Dismiss for Lack of Jurisdiction.” (Statement Non-Opp’n, ECF No. 29.)

Plaintiff’s Statement of Non-Opposition functions as a concession that the Court lacks subject matter jurisdiction. As both Plaintiff and Defendant agree that the Court lacks subject matter jurisdiction over this case, the case is appropriate for dismissal. Fed. R. Civ. P. 12(h)(3).

The case is **DISMISSED WITHOUT PREJUDICE** based on the parties’ agreement regarding the lack of subject matter jurisdiction. Defendant’s Motion to Dismiss is **DENIED AS MOOT**. (ECF No. 24.) All pending dates and deadlines are **VACATED**. The Clerk of the Court shall close the case.

**IT IS SO ORDERED.**

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